

IDVN

Viet Nam International Law Firm

Firm Profile



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ASIA-PACIFIC 2020



ASIA-PACIFIC 2021



ASIA-PACIFIC 2022



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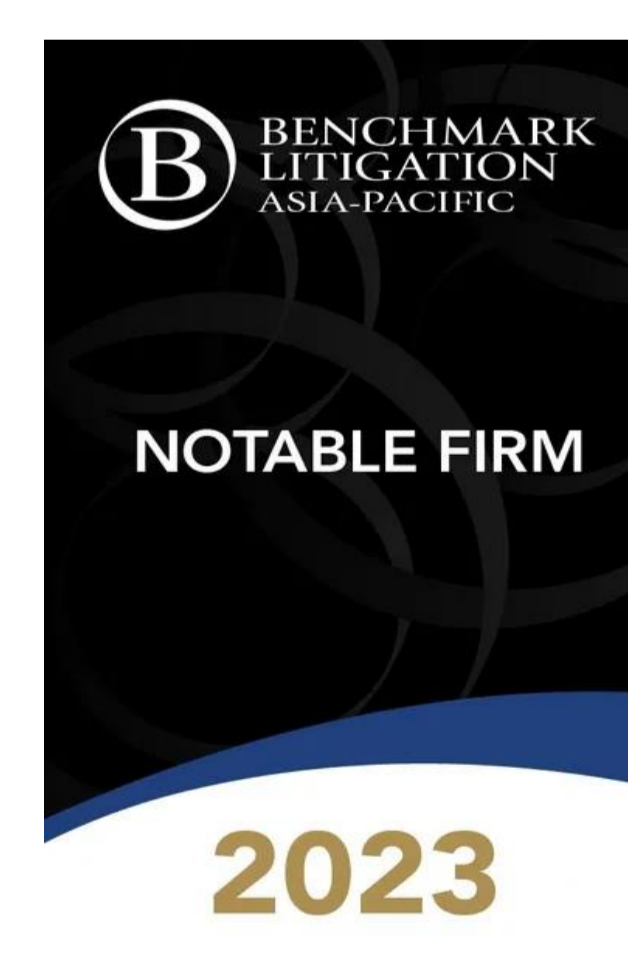
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About Us

Founded in 2003, throughout 20 years of development and cooperation, IDVN has received the trust of the Government and leading enterprises in Vietnam as well as law firms, multinational corporations, organizations and foreign governments.

Our practices focus on the following areas:

- (i) International Trade & Customs
- (ii) Dispute Resolutions: Litigation, Arbitration & Mediation
- (iii) Corporate, Investment and M&A
- (iv) Antitrust & Competition

We regularly advise individuals and corporations in relation to various aspects of Vietnamese and international law. We have a broad portfolio of local and foreign clients from both the private and public sectors, including not only Governments, state-owned entities and multinational corporations, but also individual investors and small and medium enterprises. IDVN's clients include the Government of Vietnam, Royal Thai Government, ASEAN National Community, People's Committee of Ho Chi Minh City, Minh Phu Seafood Corporation, The Vissai, Vingroup, Khanh Vinh Group, An Vien Group, Samsung C&T, Keppel Land (a company under the Singapore Government), the world's leading steel, liquid sugar, fiber, and tire manufacturers. We also cooperate with many leading law firms in the US (Morris, Manning & Martin LLP, Curtis, Mallet-Prevost, Colt & Molse LLP, Sidley Austin, Steptoe and Johnson, ...) Europe, Australia and Singapore.

IDVN has always supported and accompanied long-time clients in business consulting, investment consulting on production projects, real estate, retail and media services, M&A, as well as other significant trade and investment disputes. IDVN's seasoned attorney also advise and represent domestic and foreign clients in shareholder disputes, banking-related disputes before Court, international trade and investment dispute in domestic and international arbitration. Our services always meet international standards in terms of professionalism and comprehensiveness, with the goal of achieving the best result for our clients, even exceeding our customers' expectations. With a flexible organization and arrangement, we can assign attorneys with different seniority levels, cooperate with international consulting firms and lawyers to ensure that the services provided are matching with each client's specific need with the most reasonable cost.

We employ professional lawyers trained in Viet Nam and abroad, who are fluent in foreign languages, highly appreciated by the clients for their professionalism, diligence and wealth of experience in resolving intricate legal issues with in-depth knowledge in each field. Furthermore, we employ trade analysts with strong backgrounds in accounting and data analysis who can provide key technical and economical input.

IDVN's capabilities and reach are not limited to Vietnam. Over the past two decades, we have built long-term partnerships with some of the world's leading international law firms, including Morris, Manning & Martin LLP (USA), Curtis, Mallet-Prevost, Colt & Mosle LLP (USA), and Van Bael & Bellis (EU), as well as several Australian, Singapore and other firms around the world.



Market Recognition



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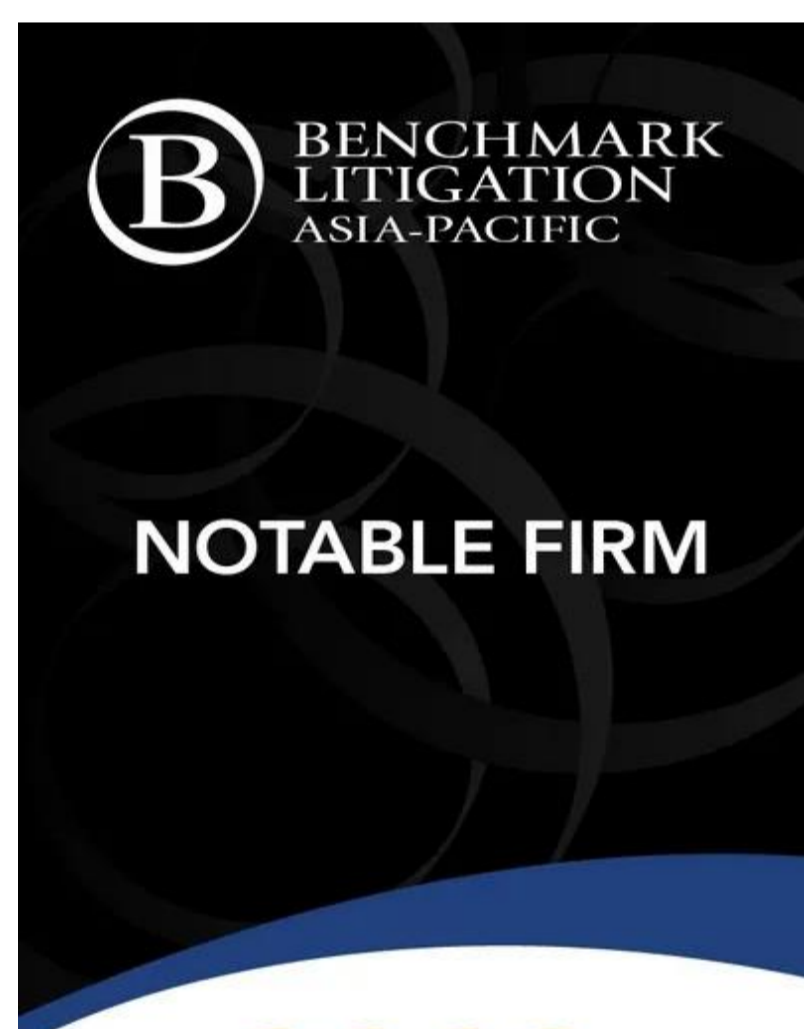
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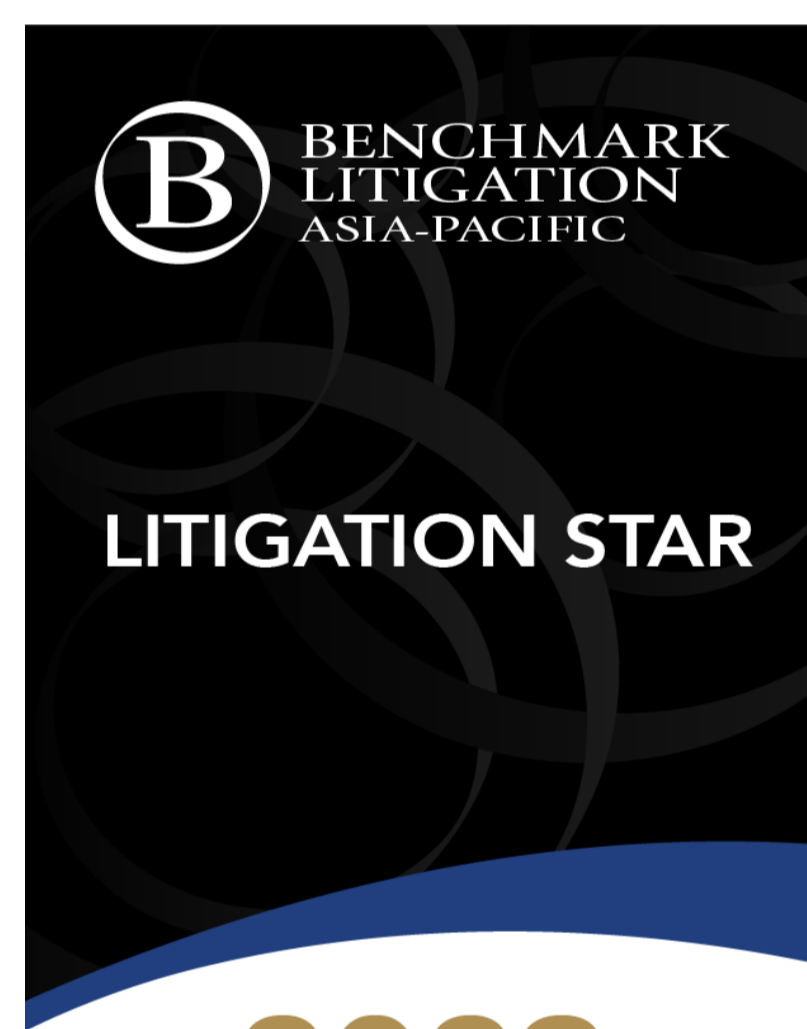
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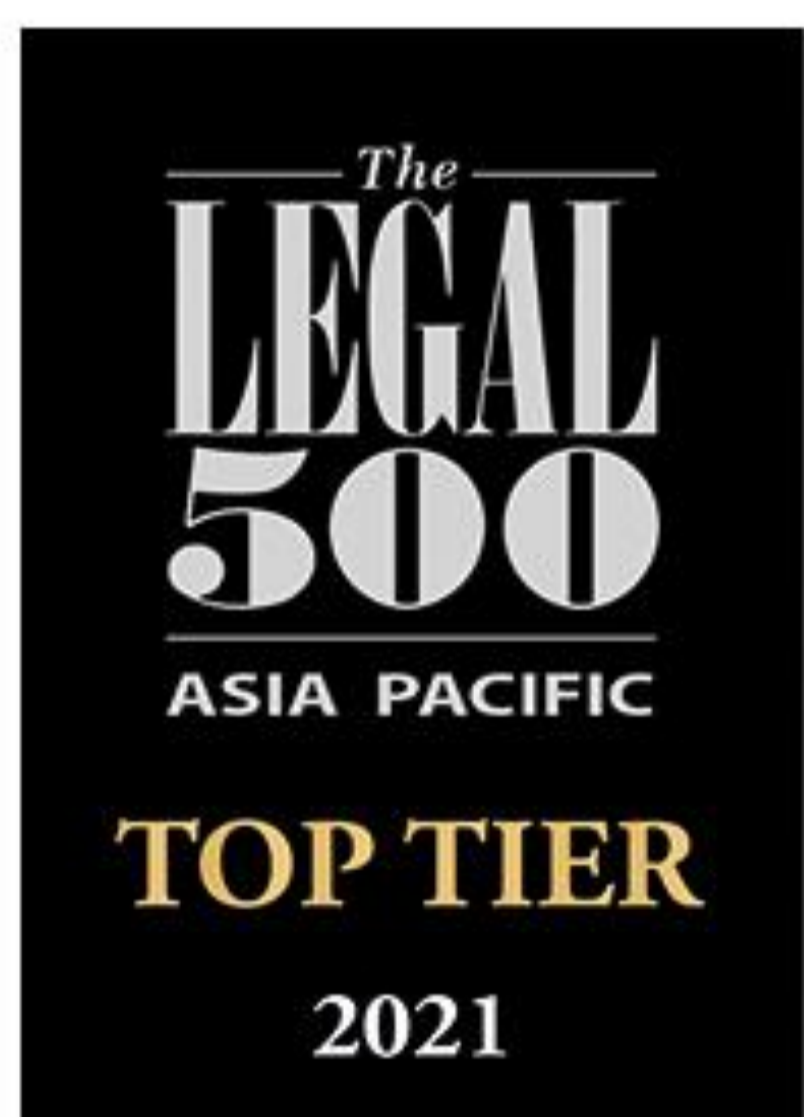
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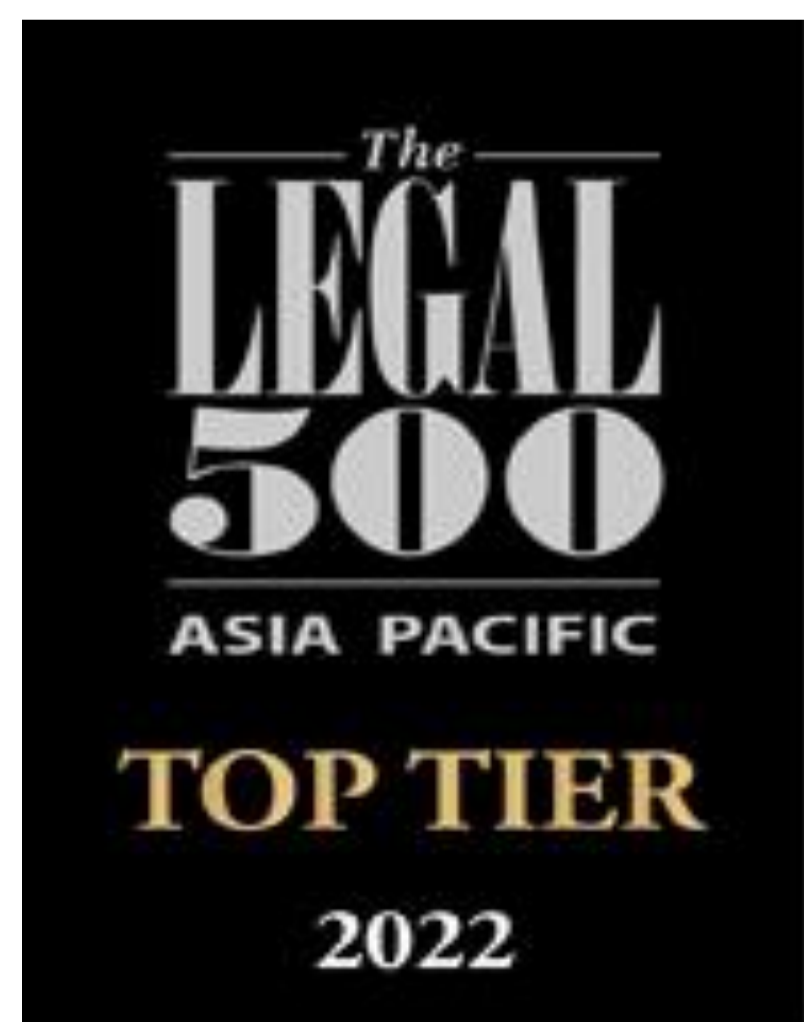
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Dispute boutique IDVN Lawyers is best known for its domestic and international dispute settlement and arbitration. The firm regularly handles commercial and investment disputes across all areas.

IDVN Lawyers – a Notable Firm for International Arbitration.

Ms Dinh Anh Tyuet ranked as **Litigation star** for Viet Nam in International Arbitration and a **Top 100 Women in Litigation**.



IDVN Lawyers has a first-rate reputation in international trade and customs-related matters, where it acts for both public and private bodies.

Nguyen Thi Phuong Thao is an expert in anti-dumping, anti-subsidy and safeguard issues, among other areas. She jointly leads the team with managing partner and fellow trade specialist **Dinh Anh Tuyet**.



IDVN Lawyers has recognised as its **Bands 2 in International Trade & WTO** practice for **Global and Asia-Pacific**.



FOUNDER AND MANAGING PARTNER

Ms. Anh Tuyet, Dinh

- LL.B in Hanoi Law University
- LL.M in International law (USA)
- MBA in Solvay Business School (Belgium)
- VIAC, SIAC Arbitrator
- VMC, CEDR Mediator
- Team Leader of the Working Group on Investment and Trade Consultancy, Vietnam Bar Federation
- Former Chairwoman of The Board of Directors, Vietnam Business Lawyers Club
- Member of The Viet Nam Society of International law
- Member of Board of Academic Committee, International Trade Law Faculty, Hanoi Law University

The firm's founding and managing partner, Ms. Dinh Anh Tuyet, is a well-established business lawyer with more than 25 years of experience in Investment law, International trade, dispute resolution via court, mediation or arbitration in Vietnam and abroad.

Ms. Tuyet has works as a commercial lawyer as well as litigation lawyer, arbitrator and mediator in Viet Nam and abroad for more than 25 years. She is among the very first generation of Vietnamese lawyers whose practice covers corporate consulting and international investment. She has regularly advised and assisted foreign and Vietnamese clients on their M&A transactions, investment projects, real estate business, production, education, and media as well as representing the Government, the People's Committee of Ho Chi Minh City, businesses in trade remedy & WTO lawsuits, consulting and settling investment disputes under investment agreements, double taxation agreements, free trade agreements and have extensive experience in participating in major domestic and international arbitration cases as a lawyer and arbitrator. She also represented clients in civil and criminal proceedings before the court of Vietnam.

Ms. Tuyet is also a well-respected member of the local legal and business community. She has been regularly retained by VIAC, international organizations like UNDP, USAID, the ASEAN Secretariat for providing research, consultations and trainings, contributing to publications on ISDS and international treaties, laws and practices on international contracts, investment projects and alternative dispute settlements.

She was awarded a certificate of merit in 2021 by the Minister of Justice for her contributions to the development of the Vietnamese commercial lawyer community over the past 10 years.

01 INTERNATIONAL TRADE & CUSTOMS

Expertise

IDVN is known for its unique and market leading international trade practice in Vietnam. We are experts in trade remedies including anti-dumping duties (AD), anti-subsidy or countervailing duties (CVD), safeguard measures (SG) and anti-circumvention measures.

Services

- ▶ Advising on AD, CVD, SG anti-circumvention investigations
- ▶ Advising on Interim and sunset reviews of trade remedies
- ▶ Advising on Customs' investigations, reviews & inspections
- ▶ Advising on Product exclusion
- ▶ Advising on Rules and certificates of origins
- ▶ Advising on Custom classifications and valuation
- ▶ General matters related to import/export, sanitary and phytosanitary measures, technical barriers to trade and market access
- ▶ Advising on Tariff quotas and duties
- ▶ Advising on Preferential trade regimes
- ▶ Advising on Import/export control, assessing new exporter.
- ▶ Advising on Trade negotiations and policy advocacy with governments
- ▶ Advising on General matters related to customs, sanitary and phytosanitary measures, technical barriers to trade and market access

Sectors

- | | | |
|-----------|------------|----------------------|
| ▶ Seafood | ▶ Steel | ▶ Textile |
| ▶ Wood | ▶ Cement | ▶ Cashew |
| ▶ Tires | ▶ Honey | ▶ Shoes & Leather |
| ▶ Seaport | ▶ Aluminum | ▶ Cooper |
| ▶ Plastic | ▶ Yarns | ▶ Sugar & Sugar cane |

Jurisdiction

- | | |
|-------------|---------------|
| ▶ Viet Nam | ▶ Malaysia |
| ▶ USA | ▶ Thailand |
| ▶ Europe | ▶ Laos |
| ▶ Australia | ▶ Philippines |
| ▶ Mexico | ▶ China |
| | ▶ Korea |

Experiences

IDVN is a Vietnamese law firm with extensive experience in international trade activities. We joined in about 10% of cases (20 out of about 200 cases) on trade remedies initiated by the US, Australia, Turkey, India, European Union for goods imported or originated from Vietnam. Besides, IDVN participated in 11 out of 35 trade remedy cases conducted by the Ministry of Industry and Trade, which is about 30% of trade remedy investigations initiated by Vietnam..

IN THE U.S

- ▶ Anti-dumping investigation and review on frozen warm-water shrimp
- ▶ Anti-dumping and countervailing investigation and review on polyethylene bags
- ▶ Anti-dumping and countervailing investigation on BOPP sacks
- ▶ Antidumping investigation on passenger vehicles and light truck tires
- ▶ Antidumping investigation on copper tube and pipe
- ▶ Countervailing investigation on circular welded steel pipes
- ▶ Countervailing investigation and review on frozen shrimp
- ▶ Countervailing investigation on utility scale wind towers
- ▶ Countervailing investigation on passenger vehicles and light truck tires
- ▶ Anti-circumvention investigation and review on corrosion resistant steel
- ▶ Anti-dumping investigation and anti-subsidy for chassis and subassemblies
- ▶ Anti-circumvention and Countervailing investigation on wooden cabinets and vanities and components
- ▶ Anti-dumping investigation on high pressure washing machine

WTO DISPUTES

- ▶ US anti-dumping Measures on Shrimp From Vietnam (WTO case no. DS404)
- ▶ US anti-dumping Measures on Shrimp From Vietnam (WTO case no. DS429)
- ▶ US anti-dumping Measures on Fish Fillets from Vietnam (WTO case no. DS536)

Experiences

IN AUSTRALIA

- ▶ Anti-dumping investigation and review on aluminum extrusion
- ▶ Anti-dumping investigation on steel rod in coils
- ▶ Countervailing investigation on aluminum extrusion
- ▶ Countervailing investigation on galvanized steel
- ▶ Countervailing investigation on precise tube steel

IN OTHER JURISDICTIONS

- ▶ European Union countervailing investigation on polyester staple fibers
- ▶ Turkey anti-circumvention investigation and review on pipes and tubes
- ▶ India countervailing investigation on stainless steel pipes
- ▶ India countervailing investigation on continuous cast copper wire rods

IN VIETNAM

- ▶ Safeguard investigation on steel billets and long products
- ▶ Safeguard investigation on pre-painted galvanized steel
- ▶ Antidumping investigation on galvanized steels
- ▶ Anti-dumping investigation and review on color coated steel
- ▶ Anti-dumping investigation on medium density fiber boards
- ▶ Anti-dumping investigation on polyester filament yarns
- ▶ Antidumping investigation and review on aluminum extrusion products
- ▶ Antidumping review on galvanized steel
- ▶ Antidumping investigation on cold rolled steel
- ▶ Antidumping investigation on HFCS
- ▶ Antidumping investigation on welding materials
- ▶ Anti-circumvention investigation on cane sugar products
- ▶ Administrative Review of Anti-dumping on polyester filament yarn
- ▶ Anti-dumping investigation on certain table and chair products
- ▶ Administrative Review of Anti-dumping on sugar

Typical clients

- ▶ The Vietnamese Government
- ▶ Royal Thai Government
- ▶ Viet Nam Association of Seafood Exporters and Producers (VASEP)
- ▶ Viet Nam Cement Association (VNCA)
- ▶ The Vissai Cement
- ▶ MinhPhu Seafood Corporation
- ▶ Ca Mau Seafood Corporation
- ▶ Vicostone JCS
- ▶ TTC Sugar Company
- ▶ Sidley Austin LLP
- ▶ Bazhou Wanshida Technology
- ▶ Bazhou Jinwoshengdi Aluminum Products Company Limited
- ▶ Kenda Rubber Company
- ▶ Huada Zhejiang New Materials
- ▶ Bahru Stainless Steel Sdn.Bhd
- ▶ Vanachai Public Company Limited
- ▶ Panel Plus MDFCompany
- ▶ Ngwe Yi Pale Sugar
- ▶ Czarnikow Group
- ▶ Indorama Ventures
- ▶ MSM Prai Berhad
- ▶ Fujian Cyclone
- ▶ Kiswel SDN BHD
- ▶ Daesang Corporation
- ▶ Mairuichi SunSCO
- ▶ Malaysian Furniture Council
- ▶ THACO
- ▶ Suntory Pepsico
- ▶ Tekcom
- ▶ Kong Richs Furniture Vietnam
- ▶ Tongxiang Zhongxin Chemical Fiber
- ▶ An Lai Electrical Engineering



02 DISPUTE RESOLUTIONS

Expertise

IDVN advise and represent clients including the Government of Vietnam, state-owned enterprises, domestic and foreign private enterprises in all stages of dispute resolution, including violation handling and pre-litigation negotiation, litigation at court and domestic arbitration, international arbitration and enforcement of arbitral award.

Services

- ▶ File research, analyze, evaluate disputes and advise on dispute resolution strategies
- ▶ Pre-litigation violation handling
- ▶ Representing clients in mediation (through mediators) or in legal proceedings
- ▶ Representing clients to participate in the dispute settlement process at Vietnamese courts, arbitrations and international arbitrations
- ▶ Assisting in the implementation of procedures for the recognition and enforcement of arbitral awards or mediation agreements

Experiences

ARBITRATION

- ▶ Represent the Government of Viet Nam in a UNCITRAL arbitration initiated by a UK oil company under the 2002 UK-Viet Nam Bilateral Investment Treaty in relation to tax measures
- ▶ Represent the Government of Viet Nam in a UNCITRAL arbitration initiated by a US investor under the 2000 US- Viet Nam Bilateral Trade Agreement in relation to a large-scale real estate project in HCMC
- ▶ Represent the Government of Viet Nam in an ICSID Additional Facility arbitration initiated by a Korean investor under the 1993 Korea-Viet Nam Bilateral Investment Treaty in relation to a real estate project in HCMC
- ▶ Represent the Government of Viet Nam in a UNCITRAL arbitration initiated by a US investor under the 2000 US-Viet Nam Bilateral Trade Agreement in relation to the revocation of a large-scale energy project in Viet Nam

Experiences

- ▶ Represent the Government of Viet Nam in a case of complaints and requests for conciliation initiated by a Dutch investor under the Vietnam-Netherlands Bilateral Investment Agreement
- ▶ Represent the Government of Viet Nam in a case under the ASEAN-China Investment Agreement initiated by Chinese investors regarding a judicial decision
- ▶ Represent the Government of Viet Nam in a U.S.-Vietnam Trade Agreement litigation initiated by U.S. investors regarding a judicial decision
- ▶ Represent VTV in a defamation lawsuit before the US Court initiated by foreign individuals and legal entities
- ▶ More than 30 disputes at VIAC and SIAC on international trade, construction contract disputes, agency and distribution contract disputes, etc.

LITIGATION

IDVN represents individual/company clients in the disputes at the court in the area of business-corporate, and even criminal cases related to bank activities:

- ▶ Recovered over USD 10 million for a private client in criminal proceedings related to a fraud committed by officers in Eximbank
- ▶ Represented a client who had property in the criminal case of Dong A Commercial Joint Stock Bank
- ▶ Represented Investment Fund from Singapore to initiate a lawsuit to protect the interests of shareholders in a joint stock company
- ▶ Represent a state-owned company to resolve a dispute with a foreign contractor consortium related to a thermal power plant project with a total disputed value of more than US\$160 million.
- ▶ Represent an Education Group in a lawsuit between an Investor and partners regarding the control and operation of an educational institution arising from a share transfer agreement and a cooperation agreement to operate the educational institution
- ▶ Represent a major Vietnamese exporter in an international goods sale dispute involving the Russian and Cyrus group of companies

Experiences

- ▶ Represent a Vietnamese company in a request for reimbursement of investment value on land after the project was withdrawn under the provisions of the Land Law 2003 in Ca Mau province
- ▶ Represent an individual investor to resolve the issue of late interest payment obligations and redemption of maturing bonds of a large real estate company in Ho Chi Minh City

OTHER

Support to investigate international transactions: Coordinating with a foreign law firm to investigate the export transactions worth USD 20 million of medical gloves for a leading North America's multi-industry import-export and multi-industry manufacturing corporation. The case was conducted in the Israel Court.

Typical clients

- ▶ The Vietnamese Government
- ▶ The People's Committees of Ho Chi Minh City
- ▶ Vinh Thai Urban Development JSC
- ▶ TAEI Group (Singapore)
- ▶ Delta International
- ▶ Minh Phu Seafood JSC
- ▶ UMAC Viet Nam



03

CORPORATE, M&A and INVESTMENT

Expertise

We are well known for our understanding of all aspects of business operations as well as the legal mechanisms for business management and operation. With long-term consulting experience for large corporations at home and abroad, IDVN's professional services combine skills in consulting and drafting documents for business transactions or operating-business management, solid knowledge and experience in many areas of law and their acumen towards commercial agreement terms, high level of legal expertise, strategic planning ability as well as effective negotiation skills. We consult on all enterprise related matters

Services

We can advise on all issues related to corporate, investment transactions, trade and handle legal issues related to state agencies or related disputes, specifically:

- ▶ Advising on first-time investment activities in Vietnam & abroad
- ▶ Advising on legal issues in business management and operation, financial management, shareholder relations, compliance control and drafting related documents
- ▶ Providing legal services for businesses, investment assets and projects to prepare for listing, share purchase and sale transactions, projects, (M&A), business restructuring or evaluation, control legal risks of investors and owners
- ▶ Advising and drafting on structures and documents for transactions in Vietnam and cross-border transactions, in all areas such as shareholder contracts, hotel management contracts, commercial and service zones or other real estate project management, Contract-agreement for business - investment cooperation transaction, other M&A transaction, international goods-service procurement contracts, contract sets for distribution, trading, leasing of real estate, goods, franchising or providing technical support services, technology transfer, loan agreements, mortgages, etc
- ▶ Negotiating, handling violations, contract negotiation and pre-litigation disputes settlement within the enterprises and with other organizations and individuals

Sectors

- ▶ Production and processing
- ▶ Real estate development business
- ▶ Infrastructure construction investment
- ▶ Wholesale & Retail
- ▶ Information and media
- ▶ Education
- ▶ Mining
- ▶ Energy (Coal power, wind power, solar power)

Notable cases

- Advising a Vietnamese corporation on media, beauty, automotive and recruitment in restructuring and preparing to sell shares to foreign investors.
- Advising and representing a Vietnamese paper manufacturing enterprise in the sale of preferred shares to foreign investors.
- Advising a Vietnamese cement manufacturer on the sale of preferred shares to foreign investors
- Advising a Vietnamese power plant by-product manufacturer on selling shares to foreign investors.
- Advising a Chinese education service provider on the purchase of shares in an accounting services company in Vietnam
- Advising a Vietnamese construction enterprise on the purchasing shares of another company in the same industry
- Advising and representing a Singaporean enterprise in a share purchase and sale transaction valued at over VND 2,000 billion for a real estate project in Vietnam.
- Advising and representing a Korean energy investor on capital transfer transaction at a Vietnamese BOT company
- Advising a large real estate enterprise to purchase a large office complex in Hanoi.
- Advising a company to sell an iron mining project company.
- Advising a company to sell a mining and zinc project
- Advising a large real estate enterprise in Nha Trang to sell a mineral spring project
- Advising a Vietnamese real estate company on the dissolution and transfer of a real estate investment project
- Advising and representing a leading Vietnamese enterprise in the field of aquaculture successfully negotiated with a company specializing in solar energy development to install and operate a rooftop solar power system with a capacity of 8.2 MWp.

Sectors

- Advising and representing to negotiate hotel management transactions with reputable international hotel management agency.
- Advising on the prevention and resolution of disputes between investors and partners related to the control and operation of the educational institution.
- Advising foreign clients and their partners overseas on renting bonded warehouses in Vietnam
- Advising Vietnamese project development companies on legal and corporate governance issues in the mining sector (iron, bauxite, zinc), real estate, residential projects, private pay TV projects (corporate/project development), wind power projects and farms, etc

Notable Clients

- ▶ Vingroup
- ▶ VinSmart
- ▶ VinFast
- ▶ VinPearl
- ▶ Vincom Center Hanoi
- ▶ The Vissai Cement
- ▶ Minh Phu Seafood Corporation
- ▶ Vinh Thai Urban Development Corporation
- ▶ Khanh Vinh Group
- ▶ Simple Tech Investment Joint Stock Company
- ▶ Dong Duong Real Estate Development and Trading JSC
- ▶ Tien Hien Paper Company
- ▶ An Vien Group
- ▶ Ernst & Young
- ▶ Keppel Land
- ▶ The Association of Southeast Asian Nations
- ▶ Equest



04 ANTITRUST & COMPETITION

Services

- ▶ Providing legal opinions, assessing possibilities of violating competition laws in clients' business transactions, M&A activities
- ▶ Consulting on legal matters related to market entry and expansion, agreements between enterprises in the same industry or vertical integrated enterprises
- ▶ Consulting and preparing documents notifying economic concentration
- ▶ Providing market data analysis, competition analysis, determining relevant product market

Experiences

- ▶ Delivered presentation on merger filing procedures at “*Changes in legal framework and impacts on M&A market in Vietnam*” Seminar hosted by Vietnam International Arbitration Center
- ▶ Consulted, drafted economic concentration announcement documents for multinational corporations, foreign companies in Vietnam participating in M&A transactions, joint ventures or conducting restructuring activities in areas such as: manufacturing prefabricated modular houses, processing steel plates, exploiting and transporting oil and gas, power generation, real estate business in Vietnam
- ▶ Represented and worked with the Competition and Consumer Administration to obtain approval for economic concentration transactions
- ▶ Consulted on contract drafting and registration for consumers;
- ▶ Consulted to assess the possibility of violating/dealing with competition law violations in business activities, vertical agreements, and horizontal integration agreements in the same industry that is possible of causing effects of competition limitation or affect the consumers

Notable cases

- Advising and representing TLC in the implementation of merger filling for the acquisition of the leading pre-engineered steel structure module manufacturing company in Vietnam by a group of business enterprises in the Australian construction sector and approved by the competent authority.
- Advising and representing Samsung C&T in the implementation of merger filling to establish a joint venture company in Vietnam and approved by the competent authority.
- Advising and representing Zarubezhneft in the implementation of merger filling for the acquisition of an oil and gas exploration company in Vietnam by a company belonging to a major Russian oil and gas corporation and approved by the competent authority after official appraisal.
- Advising and representing Keppel Land in acquisition of share in real estate development company in Vietnam and has been approved by the competent authority.
- Advising and representing Posco in the implementation of merger filling for the merger outside the territory of Vietnam of two companies in the energy sector under the restructuring plan of a large Korean corporation and approved by the competent authority.
- Advising and representing Maersk in the implementation of merger filling (official appraisal stage) for the acquisition outside the territory of Vietnam of the Danish group in the field of freight forwarding – logistics and approved by the competent authority.
- Advising and representing Prettl - the seller and target company in the implementation of merger filling for the acquisition of a business made outside the territory of Vietnam by a large Taiwanese electronics corporation and a German automobile manufacturer in the field of design and assembly of electrical wiring in automobiles and has been the competent authority approves.
- Advising and representing Toyota Motor in the implementation of merger filling to establish joint venture companies in Vietnam and approved by the competent authority.
- Recently, IDVN acting as sub-contractor for Allen & Overy and Freshfield’s clients in regards to implement of merger filling and M&A transactions.

Typical clients

- ▶ Zarubezhneft
- ▶ Samsung C&T
- ▶ TLC Holdings
- ▶ Keppel Land
- ▶ POSCO Energy
- ▶ Welstory
- ▶ Prettl
- ▶ Maersk
- ▶ Toyota Motor
- ▶ Trilantic Capital Partners
- ▶ Allen & Overy
- ▶ Freshfield



IDVN

Viet Nam International Law Firm

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